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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/862,402

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Matthew S. Chang

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11/15/2006

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EXAMINER

PENG, FRED H

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/862,402	Applicant(s) CHANG ET AL.	
	Examiner fred peng	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Finseth et al (US 6,813,775 B1).

Regarding Claims 1 and 10, Finseth discloses a television program apparatus (FIG.3 64)

and corresponding method comprising:

Means (FIG.3 64) for obtaining information regarding a number of television programs watched by a viewer (Col 11 lines 13-20);

Means (FIG.3 74) for producing a viewer program signal from the obtained information representative of each television program watched by the viewer arranged in predetermined manner (a viewer program signal is the indications of the programs that have been watched by the viewer, Col 11 lines 36-42); and

Means (FIG.3 72, 78) adapted to be coupled to a television unit for enabling said viewer program signal to be supplied to said television unit so as to enable an indication of each said television program watched by the viewer to be displayed thereon in said predetermined manner (Col 7 lines 37-40).

Art Unit: 2623

Regarding Claims 2 and 11, Finseth further discloses means (FIG.3 86) for enabling comments to be inserted into the television program display (Col 12 lines 35-38).

Regarding Claims 3 and 12, Finseth further discloses wherein the means for obtaining information including viewer recognition means (FIG.3 80, 74) for recognizing the viewer (Col 11 lines 12-17).

Regarding Claims 4 and 13, Finseth discloses a television program apparatus (FIG.3 64) and corresponding method comprising:

Means (FIG.3 64) for obtaining information regarding a number of television programs watched by a viewer (Col 11 lines 13-20);

Means (FIG.3 74) for producing a viewer program signal from the obtained information representative of each television program watched by the viewer arranged in predetermined manner (a viewer program signal is the indications of the programs that have been watched by the viewer, Col 12 lines 30-41); and

Means (FIG.3 82) for enabling said viewer program signal to be supplied to a television unit located at a location remote from the television program apparatus so as to enable an indication of each said television program watched by the viewer to be displayed thereon in said predetermined manner (Col 12 lines 66-67, Col 13 lines 1-7, 19-23).

Regarding Claims 5 and 14, Finseth further discloses means (FIG.3 86) for enabling comments to be inserted into the television program display (Col 12 lines 35-38).

Regarding Claims 6 and 15, Finseth further discloses wherein the means for obtaining information including viewer recognition means (FIG.3 80, 74) for recognizing the viewer (Col 11 lines 12-17).

Regarding Claims 7 and 16, Finseth discloses an apparatus (FIG.3 64) and corresponding method for providing indications of items pertaining to a user (Col 10 lines 13-15), said apparatus and method comprising:

Means (FIG.3 64) for obtaining information regarding at least one of a television program or programs watched by the user, television program or programs to be watched by the user, an activity or activities in which the user has participated, and an activity or activities the user is scheduled to participated (Col 11 lines 13-20);

Means (FIG.3 74) for producing a program/activity signal representative of each television program or activity arranged in a predetermined manner (Col 12 lines 30-41); and

Means (FIG.3 82) for enabling said program/activity signal to be supplied to at least one television unit located at a location remote from the apparatus, so as to enable an indication of each said television program and activity to be displayed thereon in said predetermined manner (Col 12 lines 66-67, Col 13 lines 1-7, 19-23).

Regarding Claims 8 and 17, Finseth further discloses means (FIG.3 86) for enabling comments to be inserted into the television program or activity display (Col 12 lines 35-38).

Regarding Claims 9 and 18, Finseth further discloses wherein the means for obtaining information including viewer recognition means (FIG.3 80, 74) for recognizing the viewer (Col 11 lines 12-17).

Regarding Claims 19 and 23, Finseth discloses a television program apparatus (FIG.3 64) and corresponding method comprising:

Means (FIG.3 64) for obtaining information regarding a number of television programs watched by at least one viewer (Col 11 lines 13-20);

Means (FIG.3 74) for producing a viewer program signal representative of a plurality of broadcasted television programs arranged in predetermined manner in which each television program watched by each viewer is indicated therein (Col 11 lines 36-42); and  
Means (FIG.3 72, 78) for enabling said television program signal along with an indication of each said television program watched by each said viewer to be displayed thereon in said predetermined manner (Col 7 lines 37-40).

Regarding Claims 20 and 24, Finseth further discloses means (FIG.3 86) for enabling comments to be inserted into the television program or activity display (Col 12 lines 35-38).

Regarding Claims 21 and 25, Finseth further discloses wherein the means for obtaining information including viewer recognition means (FIG.3 80, 74) for recognizing the viewer (Col 11 lines 12-17).

Regarding Claims 22 and 26, Finseth further discloses wherein the obtaining means obtains information regarding a number of television programs watched by more than one viewer (FIG.8 162, Col 14 lines 31-32).

Regarding Claim 27, Finseth discloses a television program apparatus (FIG.3 64) comprising:

An input device (FIG.3 64) which obtaining information regarding a number of television programs watched by a viewer (Col 11 lines 13-20);

A processor (FIG.3 74) arranged to receive the obtained information from the input device which produce a viewer program signal from the received information representative of each television program watched by the viewer arranged in predetermined manner (Col 11 lines 36-42); and

An output interface (FIG.3 72) which enables said viewer program signal to be supplied to a television unit so as to enable an indication of each said television program watched by the viewer to be displayed thereon in said predetermined manner (Col 7 lines 37-40).

Regarding Claim 28, Finseth further discloses a viewer input device (FIG.3 86) for enabling comments to be inserted into the television program or activity display (Col 12 lines 35-38).

Regarding Claim 29, Finseth further discloses wherein the input device including a viewer recognition circuit (FIG.3 80, 74) which recognizing the viewer (Col 11 lines 12-17).

Regarding Claim 30, Finseth discloses an apparatus (FIG.3 64) for providing indications of items pertaining to a user (Col 10 lines 13-15), said apparatus comprising:

An input device (FIG.3 64) which obtains information regarding at least one of a television program or programs watched by the user, television program or programs to be watched by the user, an activity or activities in which the user has participated, and an activity or activities the user is scheduled to participated (Col 11 lines 13-20);

A processor (FIG.3 74) arranged to receive the obtained information from the input device which produces a program/activity signal representative of each television program or activity arranged in a predetermined manner (Col 11 lines 36-42); and

An output device (FIG.3 72, 78) which enables said program/activity signal to be supplied to at least one television unit so as to enable an indication of each said television program and activity to be displayed thereon in said predetermined manner (Col 7 lines 37-40).

Regarding Claim 31, Finseth further discloses a user input device (FIG.3 86) which enables comments to be inserted into the television program or activity display (Col 12 lines 35-38).

Regarding Claim 32, Finseth further discloses wherein the input device includes a recognition circuit (FIG.3 80, 74) which recognizing the user (Col 11 lines 12-17).

Regarding Claim 33, Finseth discloses a television program apparatus (FIG.3 64) comprising:

An input device (FIG.3 64) which obtains information regarding a number of television programs watched by at least one viewer (Col 11 lines 13-20);

A processor (FIG.3 74) arranged to receive the obtained information from the input device which produces a viewer program signal representative of a plurality of broadcasted television programs arranged in a predetermined manner in which each television program watched by each viewer is indicated therein (Col 12 lines 30-41); and

An output interface (FIG.3 72) which enables said television program signal along with an indication of each said television program watched by each said viewer to be displayed thereon in said predetermined manner (Col 7 lines 37-40).

Regarding Claim 34, Finseth further discloses a viewer input device (FIG.3 86) which enables comments to be inserted into the television program display (Col 12 lines 35-38).

Regarding Claim 35, Finseth further discloses wherein the input device includes a viewer recognition circuit (FIG.3 80, 74) which recognizing the viewer (Col 11 lines 12-17).

Regarding Claim 36, Finseth further discloses wherein the input device obtains information regarding a number of television programs watched by more than one viewer (FIG.8 162, Col 14 lines 31-32).

Regarding Claim 37, Finseth discloses a system having a plurality of apparatuses (FIG.1 34) arranged so as to communicate with each other and each adapted to be coupled to a display device for providing a display of items pertaining to at least one user (FIG.7, Col 12 lines 42-49), each apparatus comprising:



Art Unit: 2623

An input device (FIG.3 64) which obtains information regarding at least one of a television program or programs watched by the user, television program or programs to be watched by the user, an activity or activities in which the user has participated, and an activity or activities the user is scheduled to participate (Col 11 lines 13-20);

A processor (FIG.3 74) arranged to receive the obtained information from the input device which produces a program/activity signal representative of each television program or activity arranged in a predetermined manner (Col 12 lines 30-41); and

An output device (FIG.3 82) which enables said program/activity signal to be supplied to at least one television unit so as to enable an indication of each said television program and activity to be displayed thereon in said predetermined manner (Col 12 lines 66-67, Col 13 lines 1-7, 19-23).

Regarding Claim 38, Finseth further discloses a user input device (FIG.3 86) which enables comments to be inserted into the television program display (Col 12 lines 35-38).

Regarding Claim 39, Finseth discloses a system having a plurality of apparatuses (FIG.1 34) arranged so as to communicate with each other and each adapted to be coupled to a display device for providing a display of items pertaining to at least one user (FIG.7, Col 12 lines 42-49), each apparatus comprising:

An input device (FIG.3 64) which obtains information regarding at least one of a television program or programs watched by the user, television program or programs to be watched by the user, an activity or activities in which the user has participated, and an activity or activities the user is scheduled to participate (Col 11 lines 13-20);

A processor (FIG.3 74) arranged to receive the obtained information from the input device which produces a program/activity signal representative of each television program or activity arranged in a predetermined manner (Col 12 lines 30-41); and

Art Unit: 2623

An output device (FIG.3 82) which enables said program/activity signal to be supplied to at least one television unit so as to enable an indication of each said television program and activity to be displayed thereon in said predetermined manner (Col 12 lines 66-67, Col 13 lines 1-7, 19-23).

Regarding Claim 40, Finseth further discloses wherein each apparatus comprising a user input device (FIG.3 86) which enables comments to be inserted into the television program display (Col 12 lines 35-38).

Art Unit: 2623

**Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to fred peng whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 08:00-17:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christ Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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